

**REMARKS**

This Amendment is being filed concurrently with a Request for Continued Examination. Claims 1-10 are pending in this application. By this Amendment, claim 1 is amended. No new matter is added. In view of at least the following remarks, reconsideration and allowance are respectfully requested.

Claims 1-10 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,835,192 to Guidotti ("Guidotti"). This rejection is respectfully traversed.

Guidotti fails to disclose or suggest an absorbent article configured to be worn by a user and including an absorber, a first leak preventer and a second leak preventer "wherein the second leak preventer is closer to a skin of the user than the first leak preventer when the article is worn by the user," as recited in claim 1.

The Office Action cites Guidotti at Fig. 5 and alleges that liquid-impermeable layer 9 corresponds to the first leak preventer and that liquid-impermeable portion 6 corresponds to the second leak preventer. See Office Action at page 2.

However, amended claim 1 requires that the second sheet leak preventer is closer to the skin of a user as compared to the first sheet leak preventer, when the article is worn by a user. In contrast, Guidotti discloses that the embodiment shown in Fig. 5 comprises an outer layer 12 which, during use of the article, is in direct contact with the skin of the user." See Guidotti at col. 7, lines 62-64 (emphasis added). Because layer 12 in Fig. 5 of Guidotti is in direct contact with a user's skin, Guidotti's article is configured so that layer 9 (the alleged first sheet leak preventer) is closer to the user's skin than layer 6 (the alleged second sheet leak preventer) when the article is worn. Thus, Fig. 5 of Guidotti cannot be reasonably be interpreted as illustrating a second sheet leak preventer (as defined in claim 1), that is positioned closer to a skin of a user as compared to the first sheet leak preventer (as defined in claim 1) when the article is worn by a user.

The Office Action also states that "Even still, the definition of being close to the user side does not mean adjacent as it is seen as being argued. The second leak preventer in the current configuration may be considered close to the user's body." See Office Action at page 5.

However, as amended, claim 1 requires that the second leak preventer is closer to a user's skin when compared to the first leak preventer. Guidotti cannot be reasonably interpreted as disclosing that layer 6 is closer than layer 9 to a user's skin when the article is worn because Guidotti discloses that layer 12 is in direct contact with a user's skin. Thus, claim 1 is patentable over Guidotti.

Guidotti also fails to disclose or suggest "a first leak preventer in sheet form extending from the front side of the absorbent article to the rear side of the absorbent article," as required in claim 1, where such front and rear sides are defined such that "the article has a front side corresponding to a front side of a body of the user when the article is worn by the user, and a rear side corresponding to a rear side of the body of the user when the article is worn by the user."

The Office Action states that the "the examiner maintains that layer 9 in its extension as shown may be considered as extending over a front and rear side. The front and rear side of a user does not provide any structural limitation that would preclude the use of the current interpretation." See Office Action at page 4.

Applicants respectfully disagree. Layer 9 in Guidotti fails to cover a substantial portion of the middle portion of the article due to opening 10. See Guidotti at col. 7, lines 45-48. Further, Guidotti discloses that its article is configured such that liquid acquisition region 1 is arranged in the crotch area when worn by user (col. 7, lines 55-57), i.e., the middle of a user's body. Applicants submit that the Examiner cannot reasonably interpret layer 9 as extending from a front side of a user to a rear side of a user when the article is worn, considering that layer

9 does not even extend to the portion corresponding to a user's crotch. Thus, for at least this additional reason, claim 1 is patentable over Guidotti.

Claims 2-10 depend from claim 1 and are therefore also patentable over Guidotti for at least the reasons enumerated above, as well as for the additional features they recite.

Accordingly, withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:  
Request for Continued Examination

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